



**MINUTES**  
**PLANNING AND ZONING COMMISSION**  
**Diamondhead, Mississippi**  
**Diamondhead City Hall Council Chambers**  
**May 26, 2015**  
**5:30 p.m. CST**

1. Chairman Malley called the meeting to order at 5:30 p.m. CST.
2. Commissioner Hensley recited the Statement of Purpose.
3. Pledge of Allegiance was led by Commissioner Smith.
4. Clerk Jeannie Klein called roll- Present: Commissioners Bice, Smith, Garrison, Hensley, Bower, Malley, and Miller. Absent: None.  
Also present: Building Official Ronald Jones, City Attorney Derek Cusick and Minutes Clerk Jeannie Klein.

Others present: Rudy and Dawn Letellier, B. R. Hawkins, Amy Dascher, Kurt Braun, Fred Lowe and Mayor Tommy Schafer

**5. Confirmation of the Agenda**

Commissioner Miller moved, seconded by Commissioner Hensley, to confirm and approve the agenda as presented.

Ayes: Bice, Smith, Garrison, Bower, Hensley, Miller and Malley. Nays: None. Absent: None.

**MOTION CARRIED UNANIMOUSLY**

6. **Approve Minutes.** - Commissioner Hensley moved, seconded by Commissioner Miller, to approve the Minutes of April 28, 2015 as presented.

Ayes: Bice, Smith, Garrison, Bower, Hensley, Miller and Malley. Nays: None. Absent: None.

**MOTION CARRIED UNANIMOUSLY**

**7. New Business – Case File Number 2015-00130**

Rudy and Dawn Letellier, owner of Pharmacy in Diamondhead, have requested a wall variance from the Sign Ordinance (Article 10.5.2 C iv) to allow a wall sign of 160 sf. (40' X 4'). The current building frontage for the tenant is 53 lf. Therefore, the max copy area allowed is 53 sf. The proposed variance will exceed the max copy area of the 53 sf. allowed by 107 sf.

The applicants have also requested an additional wall sign in the form of hand-painted mural to be located to the right of the front entrance. The mural, as drawn, is 8' X 6' for a total copy area of 48 sf.

The property address is 4405 East Aloha Drive, Suite AA next to True Value hardware store. The tax parcel number is 131E-1-13-006.002. The property is located south of and adjacent to East Aloha Drive and east of Kalani Drive. The owner of the property is Jim Grotkowski, Diamondhead Commercial Development, LLC.

Chairman Malley called for anyone present wishing to address to the Commission to come forward. B.R. Hawkins along with Rudy and Dawn Letellier were present. Presenting their case, they referenced the logo as the trademark for their existing businesses in Waveland and Bay St. Louis. As tenants at the proposed location, they have leased 5,000 sf. for the pharmacy. They requested the Commission approve the variance to allow their logo as presented based on the marketing success experienced with their pharmacies in neighboring cities. Mr. Letellier stated their business is an old-fashioned type pharmacy unlike the chain recently established here in Diamondhead.

Mayor Tommy Schafer then addressed the Commission. He reminded Commissioners the City is seeking economic development and growth and that an amicable decision should be reached in order to assist the Letelliers with establishing their business here in Diamondhead.

Commissioners, after dialog with the applicants and with no one further to comment, were advised by Counsel to proceed with its ruling of the proposed signage, less the mural to be acted upon as a secondary request. Chairman Malley then closed the matter for public comment. Commissioner Smith moved, seconded by Commissioner Miller, to approve the variance request from Sign Ordinance (Article 10.5.2 C iv) relating to Case File 2015-00130 as requested by Rudy and Dawn Letellier at property address 4405 East Aloha Drive, Suite AA, tax parcel number is 131E-1-13-006.002 thereby recommending to the City Council approval to exceed the copy area limitation of 53 sf. by 107 sf.

Ayes: Bice, Smith, Garrison, Bower, Hensley, Miller and Malley. Nays: None. Absent: None.

#### **MOTION CARRIED UNANIMOUSLY**

The secondary matter requested in Case File 2015-00130, is a hand-painted mural sized 8' X 6' or total copy area of 48 sf. to be located of the right of the front entrance. Discussions were held with regard to actual size and design absent copyrights to the presented design. B.R. Hawkins explained the actual rendering would be modified as not to violate copyright but would remain within reasonable appearance of the submittal.

Commissioner Garrison moved to deny the request in the matter of proposed mural submitted through Case File 2015-00130.

#### **MOTION DIED FOR LACK OF SECOND**

Commissioner Miller moved, seconded by Commissioner Bice, to approve a variance request from Sign Ordinance (Article 10.5.2 C iv) relating to the secondary request of Rudy and Dawn Letellier submitted through Case File 2015-00130 at property address is 4405 East Aloha Drive, Suite AA, tax parcel number is 131E-1-13-006.002 thereby recommending to City Council a variance permitting an 8' X 6' or 48 sf. hand-painted mural to be located at the right of the front entrance.

Ayes: Bice, Bower, Hensley, Miller and Malley. Nays: Garrison and Smith. Absent: None.

#### **MOTION CARRIED**

#### **New Business – Case File Number 2015-00129**

Mr. Kurt Braun filed an application requesting a variance from the Zoning Ordinance (Article 4.18.3 D ii) to allow an accessory structure to exceed the maximum floor area of 144 sf. by 52 sf. The proposed floor area of the accessory structure is 196 sf. (12' X 16"). The property address is 7870 Hilo Way and the tax parcel number is 067R-2-36-022.000. The property is located north of and adjacent to Hilo Way and east of Maui Street and west of Ewa Street.

Chairman Malley called for anyone present wishing to address to the Commission to come forward. Building Official Jones informed the Commission of another letter of objection received in addition to those sent to the Commission earlier via email. He then read aloud the additional letter that which was signed by multiple adjoining property owners and made a part of the official application file. Mr. Braun then explained the proposed structure was to replace an existing connex structure and would house his lawn equipment and woodworking tools. Questions arose whether the proposed structure would be utilized for business with Mr. Braun responding that woodworking is a hobby and the building would be housed under trees.

Commissioner Hensley moved, seconded by Commissioner Smith, to approve, in view the applicant has 2 combined lots on which his home is centered eliminating the possibility of separating the lots, and under the conditions the structure will not be used for business purposes and the existing conex container shall be removed upon completion of the accessory structure, a variance from the Zoning Ordinance (Article 4.18.3 D ii) as it relates to Case File 2015-00129 submitted by Kurt Braun to allow an accessory structure to exceed the maximum floor area of 144 sf. by 52 sf. with proposed floor area of the accessory structure to be 196 sf. (12' X 16') at property address 7870 Hilo Way, tax parcel number is 067R-2-36-022.000.

Ayes: Smith, Bower, Hensley, Garrison and Malley. Nays: Miller and Bice. Absent: None.

#### **MOTION CARRIED**

**8. Unfinished Business – None**

**9. Open Public Comments to Non-Agenda Items – None**


**10. Commissioner's Comments –**

Commissioner Garrison questioned Building Official Jones as to the status of a variance request of the Community Church. Jones informed the Commission two variance application packets had been picked up from City Hall but as of this time none have been submitted.

**11. Communications / Announcements –**

Building Official Jones informed the Commission of 2 variance applications submitted to be forthcoming at the June 2015 meeting.

**12. Adjourn -** Commissioner Miller moved, seconded by Commissioner Bice, to adjourn at approximately 6:25 p.m. CST. The motion carried unanimously.

A handwritten signature in dark ink, appearing to read 'David Malley', is written over a horizontal line.

David Malley, Chairman  
Planning & Zoning  
City of Diamondhead, MS